

Chairperson: Supervisor Willie Johnson, Jr.
Clerk: Linda Durham, 278-4225
Research Analyst: Rick Ceschin, 278-5003

COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

Thursday, July 13, 2006 - 9:00 A.M.

Milwaukee County Courthouse - Room 201-B

MINUTES

TAPE No. 17: Side B, #562 to #EOT

TAPE No. 18: Side A, #001 to #386

PRESENT: Supervisors Rice, De Bruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair)

SCHEDULED ITEMS:

1. 06-123 Ordinance by Supervisor Mayo, to amend Chapter 9.07 of the General Ordinances of Milwaukee County, relating to the terms of service for appointments to the Milwaukee County Ethics Board. **(6/8/06: Laidover)** (Tape #17B-#569)

Chairman Johnson advised that, per the request from Supervisor Mayo, this item has been withdrawn from the agenda.

2. 06-173 Ordinance by Supervisor White, to amend Chapter 9.07 of the General Ordinances of Milwaukee County relating to the Milwaukee County Ethics Board. **(6/8/06: Laidover)** (Tape #17B-#571)

MOTION BY: (CESARZ) Refer items 2 and 3 to the Ethics Code Study Committee.

Questions and comments ensued.

Vote on the motion to refer to the Ethics Code Study Committee: 7-0

AYES: Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine, Johnson (Chair) - 7

NOES: 0

3. 06-190 Resolution by Supervisor Devine to amend Chapter 9 and Chapter 33 of the General Ordinances of Milwaukee County, relating to the processes of the Milwaukee County Ethics Board. **(6/8/06: Laidover)**

SEE ACTION UNDER ITEM 2.

SCHEDULED ITEMS (CONTINUED):

4. 06-300 Resolution by Supervisor Devine, authorizing and directing the creation of a Work Group to study current advertising and marketing efforts of County departments to determine if greater efficiencies could be achieved with increased collaboration. (Tape #17B-#594)

APPEARANCES:

Chuck Wikenhauser, Zoo

Rod McWilliams, County Executive's Office

Supervisor Devine provided comments relative to the intent of this resolution.

Supervisors Rice, DeBruin, Cesarz and Broderick requested to be added as co-sponsors of this resolution. There being no objection, it was so ordered.

Questions and comments ensued.

Mr. Wikenhauser provided comments in support of the resolution.

Mr. McWilliams provided comments relative to the resolution.

Supervisor Schmitt suggested that Supervisor Devine meet with Mr. McWilliams to discuss staffing for the work group and Department of Administration (DAS) involvement before Board Day (7/27/06)

Supervisor Devine amended his resolution by changing the date on line 40 from July 2006 to March 2007.

Questions and comments continued.

MOTION BY: (DEVINE) Approve the resolution with the date change on line 40 from July 2006 to March 2007. (Vote 7-0)

AYES: Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7

NOES: 0

5. 06-414 Resolution by Supervisor Weishan, authorizing and directing the Superintendent, (a)(e) House of Correction, to execute an addendum to the lease agreement with the Hunger Task Force for the operation of the Farm and Fish Hatchery. (Tape #18A-#58)

APPEARANCES:

Supervisor John F. Weishan, Jr., 16th District

Jon Priebe, Public Safety Fiscal Administrator

SCHEDULED ITEMS (CONTINUED):

Jon Janowski, Hunger Task Force

Supervisor Weishan provided comments relative to the intent of this resolution.

MOTION BY: (RICE) Approve.

Questions and comments ensued as to whether or not the House of Correction and the Hunger Task Force approve of the changes contained in the resolution.

Mr. Priebe advised that Mr. Malone, Superintendent, House of Correction has not seen the report, however; the department does not oppose any of the changes.

Mr. Janowski stated that the Hunger Task Force also does not have any opposition to the language changes.

Vote on the motion to approve: 6-1

AYES: Rice, DeBruin, Schmitt, Broderick, Devine and Johnson (Chair) - 6

NOES: Cesarz – 1

6. 04-414 From Superintendent, House of Correction, requesting to modify Chapter 20.01 of
(a)(d) the Milwaukee County Ordinances to reflect the increased rates of Electronic Surveillance and Prisoner Board Huber. (Tape #18A-#142)

APPEARANCE:

Jon Priebe, Public Safety Fiscal Administrator

Mr. Priebe reviewed the subject request. He indicated that this is a clean up matter.

MOTION BY: (SCHMITT) Approve.

Questions and comments ensued.

Vote on the motion to approve: 7-0

AYES: Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) – 7

NOES: 0

7. 06-J-14 From Superintendent, House of Correction, informational report on the welding
program at the House of Correction. **(INFORMATIONAL ONLY, UNLESS
OTHERWISE DIRECTED BY THE COMMITTEE.)** (Tape #18A-#171)

APPEARANCES:

Molly Pahl, Public Safety Fiscal Analyst

SCHEDULED ITEMS (CONTINUED):

Jon Priebe, Public Safety Fiscal Administrator
Steve Swigert, Executive Director, WCS

Ms. Pahl reviewed the subject report.

Questions and comments ensued.

Mr. Priebe answered questions raised by Committee members.

Supervisor Devine provided comments relative to the relationship between the House of Correction (HOC) welding shop and the Zoo. He indicated that the HOC welding shop has done a number of projects for the Zoo. He stated that part of his intent for requesting that this item be placed on the Judiciary agenda is to raise awareness.

Mr. Swigert provided comments relative to the welding program at the House of Correction.

Questions and comments continued.

Chairman Johnson requested that copies of the informational report from the House of Correction be distributed to every County Board Supervisor.

The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter(s). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:

CORPORATION COUNSEL RECOMMENDS PAYMENT/SETTLEMENT OF THE FOLLOWING CLAIMS/LITIGATION *(Note: Section 56.08 of the Milwaukee County General Ordinances authorizes the Judiciary Committee to settle all claims when the amount does not exceed \$5,000.00, and the action of the Committee is final and no further County Board action is required.)*:

8. 05-541 From McNally Law Offices, S.C., submitting a claim in behalf of **Michael Arns** for injuries allegedly sustained when he was involved in accident with Milwaukee County on October 1, 2005. **(Corporation Counsel recommends payment of an amount not to exceed \$10,000 in full settlement of all claims.)**

APPEARANCE:

Robert Andrews, Deputy Corporation Counsel

SCHEDULED ITEMS (CONTINUED):

MOTION BY: (RICE) Approve items 8-14 together. (Vote: 7-0)

AYES: Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7

NOES: 0

9. 06-264 From Tamalyn Powell, submitting a claim for damages allegedly sustained to vehicle when it was involved in an accident with a Milwaukee County Sheriff's vehicle. **(Corporation Counsel recommends payment of \$5,388.48 in full settlement of all claims.)**

SEE ACTION UNDER ITEM 8.

10. 05-234 From Phillips, Cymerman & Stein, S. C., submitting a claim in behalf of Delores Payne for injuries and damages allegedly sustained to her automobile when involved in an accident with a Milwaukee County-owned vehicle. **(Corporation Counsel recommends payment in the amount of \$4,000.00)**

SEE ACTION UNDER ITEM 8.

11. 06-327 From Marc Ruesch, submitting a claim for damages sustained as the result of a County vehicle backing into his vehicle. **(Corporation Counsel recommends payment of an amount not to exceed \$2,000.00 to settle all claims.)**

SEE ACTION UNDER ITEM 8.

12. 06-304 From Marjorie Goetsch, submitting a claim for damages sustained to her automobile when it was allegedly struck by debris from a Milwaukee County vehicle. **(Corporation Counsel recommends payment of \$1,088.84 in full settlement of all claims.)**

SEE ACTION UNDER ITEM 8.

13. 04-241 From Michael F. Hupy & Associates, S.C., submitting a claim in behalf of Denny Peterson for injuries and damages allegedly sustained while incarcerated at the Milwaukee County Criminal Justice Facility. **(Corporation Counsel recommends payment in the amount of \$1,000.00.)**

SEE ACTION UNDER ITEM 8.

14. 06-303 From James Kinney, submitting a claim for injuries and damages allegedly sustained when a County vehicle struck his parked vehicle. **(Corporation Counsel recommends payment in the amount of \$823.38.)**

SEE ACTION UNDER ITEM 8.

SCHEDULED ITEMS (CONTINUED):

15. 06-J-12 From Corporation Counsel, status report on Geoffrey Bilda, et al. v. County of Milwaukee, et al. pension litigation (Bilda 2).

MOTION BY: (RICE) Adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard items 15-18. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary. (Vote: 7-0)

AYES: Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7
NOES: 0

The Committee adjourned into closed session at approximately 9:50 a.m. and reconvened in open session at approximately 10:45 a.m. with the same members present as before.

Chairman Johnson advised that Corporation Counsel and other counsel provided status reports for items 15-18 in closed session.

The Committee took no action on items 15-18.

16. 06-J-13 From Corporation Counsel, status report on Court of Appeals decision in Milwaukee County v. Williams and Hegney regarding the challenge to the Ordinance regulating taxicabs at the airport.

SEE ACTION UNDER ITEM 15.

17. 06-J-6 From Corporation Counsel, status report on Champine sick allowance lawsuit.

SEE ACTION UNDER ITEM 15.

18. 06-J-15 From Corporation Counsel, status report on Court of Appeals decision regarding City of Glendale Community Development Authority Condemnation Award regarding the authority of the Clerk of Courts to deposit a condemnation award in the County's general fund with interest accruing to the County.

SEE ACTION UNDER ITEM 15.

STAFF PRESENT: Rick Ceschin, Research Analyst, County Board
Bill Domina, Corporation Counsel
Bob Andrews, Deputy Corporation Counsel
Jon Priebe, Public Safety Fiscal Administrator
Molly Pahl, Public Safety Fiscal Analyst

SCHEDULED ITEMS (CONTINUED):

This meeting was recorded on tape, which is available for audit upon prior request of the Committee Clerk. The foregoing matters were not necessarily considered in agenda order. Committee "green files" contain copies of resolutions, amendments, ordinances, reports and correspondence, etc., which may be reviewed upon request of the Committee Clerk. The official copy of these minutes is available in the County Board office.

Adjourned: 10:50 a.m.

Linda K. Durham

Linda K. Durham, Committee Clerk